

REMARKS

SUMMARY

Reconsideration of the application is respectfully requested.

Claims 1-12 were rejected in the above-identified Office Action. Claims 1-12 remain pending in the application. Claim 5 has been amended.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102

In “Claim Rejections – 35 USC § 102,” item 2 on page 2 of the above-identified Office Action, claims 1, 3-5, 7-8, and 10-11 have been rejected as being fully anticipated by U.S. Patent No. 6,381,474 to *Kraft* (hereinafter “Kraft”) under 35 U.S.C. § 102 (e).

Applicants respectfully traverse the rejection

Claim 1 recites, *inter alia*, a mobile communication device comprising:

a plurality of functions to support a plurality of activities to be performed using the mobile communication device, the activities including at least a call activity;

a navigation button; and

a menu driver to facilitate a user to navigate from one activity to another, in response to user inputs provided through the navigation button, including saving a first state of a first activity from which the user is navigating from, and entering a second state of a second activity to which the user is navigating to, the second state being the state in which the user last left the second activity.

The term “activity”, as used in claim 1 per Applicants’ definition/usage in Applicants’ specification (which is controlling in its interpretation), refers to activities like making a call, engaging in chat, listening to radio, web browsing and so forth (see Page 7, lines 5-10 of Applicant’s Specification), hereinafter “Activities”. Further, these “Activities” have “states”, including a “last state” which is the state of an Activity when the user last left the Activity to go to another activity.

In contrast, the Kraft reference teaches “a handset allowing the user to establish a connection via a telecommunications network” that includes “Redo and Undo facilities.” The Redo and Undo facilities are implemented by the creation of a list of actions or operations most recently performed. To access this list, the user must browse to the top of the menu and select the “Redo & Undo” entry (see Fig. 3). Upon selecting the entry, the user is provided with a sub-menu containing the list of the most recently performed actions/operations. The user may then highlight one such previously performed action/operation and select that previously performed action/operation to undo or redo.

The actions/operations of Kraft are different from Applicant’s Activities, as Kraft’s actions/operations include diverting call to another phone, setting ring volume and so forth.

Even if we are to ignore this difference, Kraft still does not teach or anticipate the required “saving [of] a first state of a first activity from which the user is navigating from, and entering a second state of a second activity to which the user is navigating to, the second state being the state in which the user last left the second activity.”

Consider the example of a user selecting “Undo” for a previously performed action/operation (such as a prior adjustment of a ring volume). After “Undoing” the previous ring volume adjustment, the user is transferred to the main menu (see Fig. 4 and 3 of Kraft). Under Kraft there is NO provision for the user to return to the point within Redo/Undo where the user initiated the Undo. Thus Kraft did not teach nor anticipate the required “saving of the state of the first activity from which the user is navigating from” (when navigating to a second activity at the last state the second activity was left).

The “Redo” action/operation of Kraft is subject to the same difficulty. Take the example of a user selecting “Redo” for the “messaging” facility of the Kraft device. The user enters a blank “Type Message” screen (ref. 21 of Kraft Fig. 3), not the state the user left of the “messaging” activity. After messaging, the user enters the main menu. There is NO provision for the user to return to the point within Redo/Undo where the user initiated the Redo. Thus, once again, Kraft did not teach or anticipate the required “saving a first state of a first activity from which the user is navigating from” (when navigating to a second activity at the last state the second activity was left).

Since Kraft fails to teach or anticipate at least one required element of claim 1, claim 1 is patentable over Kraft.

Claim 5, as amended, calls for, *inter alia*, a mobile communication device comprising:

a plurality of functions to support a plurality of activities to be performed using the mobile communication device, the activities including at least a call activity;

a navigation button; and

a menu driver to facilitate a user to navigate among selectable sub-activities of one activity, including presenting the selectable sub-activities as a scrollable list nested in a presentation of the activity.

In contrast to the present invention as claimed in claim 5, Kraft fails to teach “presenting the selectable sub-activities as a scrollable list nested in a presentation of the activity.” Rather, Kraft teaches the very same menu structure as is commonly used in the prior art. If a menu item or sub-menu item in Kraft has further sub-menu items, the user must browse down to and back-track from the sub-menu items. The present invention as claimed in claim 5, however, requires no such hierarchical browsing. Instead, the invention of claim 5 includes the further sub-activities in the same menu as the current activity or sub-activity as a scrollable list nested in a presentation of the activity. Thus, Kraft fails to anticipate at least this key browsing feature of claim 5 of the present application.

Accordingly, claim 5 is clearly patentable over Kraft.

Claims 8 and 11 are directed toward methods of the devices of claims 1 and 5. Thus, for at least the same reasons, claims 8 and 11 are patentable over Kraft.

Claims 3-4, 7, and 10 depend from claims 1, 5, and 8, incorporating their limitations respectively. Thus, for at least the same reasons, claims 3-4, 7, and 10 are patentable over Kraft.



CLAIM REJECTIONS UNDER 35 U.S.C. § 103

In "Claim Rejections – 35 USC § 103," item 4 on page 4 of the above-identified Office Action, claims 2, 6, 9, and 12 have been rejected as being unpatentable over Kraft in view of U.S. Patent Application Publication No. 2002/0173299 to *Buchholz, et al.* (hereinafter "Buchholz") under 35 U.S.C. § 103 (a). The rejection of claim 1 is incorporated respectively. For at least the reasons previously provided, Applicant traverses.

Buchholz fails to cure the above discussed deficiencies of Kraft. Therefore, claims 1, 5, 8, and 11 remain patentable over Kraft even when combined with Buchholz.

Claims 2, 6, 9, and 12 depend from claims 1, 5, 8, and 11, incorporating their limitations respectively. Thus, for at least the same reasons, claims 2, 6, 9, and 12 are patentable over Kraft in view of Buchholz.

CONCLUSION

In view of the foregoing, Applicant submits that claims 1-12 are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1513. If any fees are due in connection with this paper, the Commissioner is authorized to charge Deposit Account 500393.

Respectfully submitted,
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by:

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